

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

MELISENDRO E. GONZALES,

Plaintiff,

v.

Case No. CIV-05-0081 MV/LAM

OFFICER WAYNE CLARK, et al.

Defendants.

**FINAL ORDER ADOPTING MAGISTRATE JUDGE'S
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION**

THIS MATTER is before the Court on Magistrate Judge Lourdes A. Martinez' *Proposed Findings and Recommended Disposition* (Doc. 36), filed on August 7, 2006. On September 6, 2006, Plaintiff Melisendro E. Gonzales filed objections to the proposed findings and recommended disposition and his objections were timely filed.¹ Having reviewed the proposed findings and recommended disposition and Mr. Gonzales' objections, the Court has determined that it will adopt the proposed findings and recommended disposition, grant *Defendants' Motion to Dismiss Plaintiff's Civil Rights Complaint as Time-Barred* (Doc. 28), deny Plaintiff's motion to reinstate the Town of Bernalillo as a defendant in this case,² deny Plaintiff's *Motion to Commence [a Hearing]* (Doc. 34), deny Plaintiff's *Motion for Personal and/or Telephone Conference* (Doc. 35), and dismiss all of Plaintiff's claims and this case with prejudice.

¹The deadline for Mr. Gonzales to file objections to the proposed findings and recommended disposition was extended by the Court to September 15, 2006. *See Order* (Doc. 38), filed on August 28, 2006.

²This motion is contained in Plaintiff's *Motion to Reinstate/Readmit Town of Bernalillo and Statement/Response Showing Cause as to Why Case Should Not be Dismissed [and] Notification of Change of Address* (Doc. 32).

IT IS THEREFORE ORDERED that the *Proposed Findings and Recommended Disposition* (Doc. 36) are **ADOPTED** by the Court.

IT IS FURTHER ORDERED that *Defendants' Motion to Dismiss Plaintiff's Civil Rights Complaint as Time-Barred* (Doc. 28) is **GRANTED**.

IT IS FURTHER ORDERED that Plaintiff's motion to reinstate the Town of Bernalillo as a defendant in this case (contained in Plaintiff's *Motion to Reinstate/Readmit Town of Bernalillo and Statement/Response Showing Cause as to Why Case Should Not be Dismissed [and] Notification of Change of Address* (Doc. 32)), Plaintiff's *Motion to Commence [a Hearing]* (Doc. 34) and Plaintiff's *Motion for Personal and/or Telephone Conference* (Doc. 35), are **DENIED**.

IT IS FURTHER ORDERED that all of Plaintiff's claims and this case be **DISMISSED WITH PREJUDICE** and that a final judgment be entered concurrently with this order.

IT IS SO ORDERED.



MARTHA VAZQUEZ
UNITED STATES DISTRICT JUDGE